

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DENNIS KLEIN,

Plaintiff,

v.

UNITED STATES OF AMERICA, et al.,

Defendants.

No. 3:11-CV-2057

(JUDGE CAPUTO)

(MAGISTRATE JUDGE BLEWITT)

**ORDER**

**NOW** this 19<sup>th</sup> day of March, 2012, upon review of the Report and Recommendation of Magistrate Judge Thomas M. Blewitt (Doc. 14) for clear error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 14) is **ADOPTED**.
- (2) The Motion to Dismiss Plaintiff's Complaint of Defendants U.S. Bank, N.A. and GMAC Mortgage, LLC, (Doc. 6) is **GRANTED**. The case is **DISMISSED WITH PREJUDICE** as to Defendants U.S. Bank, N.A. and GMAC Mortgage, LLC.
- (3) The Motion to Dismiss Plaintiff's Complaint of Defendants United States and Magistrate Judge Smyser (Doc. 7) is **GRANTED**. The case is **DISMISSED WITH PREJUDICE** as to Defendants United States and Magistrate Judge Smyser.
- (4) Pursuant to the All Writs Act, 28 U.S.C. § 1651(a), and Third Circuit precedent, Plaintiff has been notified that his conduct amounts to abusive, groundless, and vexatious litigation practice warranting injunctive relief. Plaintiff Dennis

Klein is therefore **ENJOINED** from filing any new action or proceeding against Defendants U.S. Bank, N.A. and/or GMAC Mortgage, LLC, with this federal court regarding the Pike County foreclosure action on his Michelle Lane, Dingmans Ferry, Pennsylvania, property and sheriff's sale. Prior to filing any subsequent action against U.S. Bank, N.A. and/or GMAC Mortgage, LLC relating to the Michelle Lane foreclosure, Plaintiff shall first obtain leave of a magistrate judge or district judge of the district court, who shall review the complaint upon filing to determine whether it falls within the court's jurisdiction or states a colorable claim and the judge shall either approve or reject the proposed filing.

- (5) The Clerk of Court is directed to mark the case as **CLOSED**.

/s/ A. Richard Caputo  
A. Richard Caputo  
United States District Judge